(2)

AMENDED ~~CORX~~ PETITION

BEFORE THE HON'BLE HIGH COURT OF JUDICATURE OF CHHATTISGARH AT BILASPUR

W.P.No. 3644 /2003.

PETITIONER : Shri Dushyant Kumar Sharma
S/o Shri Sharda Prasad Sharma,
age 53 years,
Principal, DRP NATIONAL HIGHER Secondary School, Durg, Distt. Education Society, Durg (C.G.).

V e r s u s

RESPONDENTS : (1) Govt. of C.G.
Through : Secretary (Education (Deptt.) D,K.S.Bhawan, Raipur.

(2) Distt. Education Officer, Durg.

(3) Distt. Education Societies, DRP National H.S. School, Durg (C.G.).

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Clerk to A. G. Bilaspur

Writ petition under Article 226/227 of Constitution OF India

(47)

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 3644 of 2003

Petitioner : Shri Dushyant Kumar Sharma

Versus

Respondents : Government of C.G. & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri**.

Shri Ajay Shrivastava, Advocate for the Petitioner.

Smt. Anju Ahuja, Deputy Government Advocate for the respondents.

O R A L O R D E R

(4th July, 2006)

1. Learned counsel for the petitioner submits that the petitioner was working as Lecturer by order dated 30.4.2001 (Annexure P/1). The petitioner was directed to work as Principal in Dau Raru Prasad National Higher Secondary School, Durg, for a period of one year from 1.5.2001 to 30.4.2002. According to learned counsel for the petitioner, the petitioner has continuously been working as In-charge Principal ever since till date.

2. This petition is filed seeking several reliefs, but at the time of argument, learned counsel appearing for the petitioner submits that the petitioner has decided not to press for other reliefs, except to consider the case of the petitioner for appointment on the post of Principal on regular basis.

3. The respondents/State was granted three weeks time on 20.4.2006 to file return to the main petition. The matter was again listed on 12.6.2006, when two more weeks time was granted, as a last

opportunity, subject to payment of Rs. 250/- as cost to the High Court Legal Aid Services committee. The respondents/State has neither paid the cost nor filed return till date. Hence, it is evident that the respondents/State is not intending to contest the matter.

4. On perusal of the papers, it is clear from the letter dated 11.6.2002 (Annexure P/5) written by the Principal, Dau Raru Prasad National Higher Secondary School, Durg to the District Education Officer, Durg that the post of regular Principal is vacant for a long time and letters have been written to the Joint Director, Public Instructions, three times earlier. No steps were taken by the respondents to fill up the post of the Principal on the basis of regular appointment.

5. In view of the above-stated reasons, the respondents are directed to consider the appointment of the Principal on regular basis in Dau Raru Prasad National Higher Secondary School, Durg after following proper procedure of law, expeditiously, preferably within a period of two months from the date of receipt of a copy of this order.

6. The petition is accordingly disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge